

## **REMARKS**

Claims 1-64 are subject to restriction and/or election requirement. Claims 29-43 have been elected. Claims 53-64 have been amended to correct an error in antecedent basis relating to dependency from Claim 44. Claims 1-28 and Claims 44-64 have been withdrawn. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

### **Restriction Requirement under 35 U.S.C. § 121:**

The Examiner has required restriction under 35 U.S.C. § 121 to Invention I: Claims 1-28, drawn to a polymer particles, classified in class 528, subclass 373; Invention II: Claims 29-43 and 53-64, drawn to a particle composition, classified in class 524, subclass 504; or Invention III: Claims 44-52, drawn to a method of preparing monodisperse polymer particles, classified in class 525, subclass 63, indicating that Inventions I and II are related as mutually exclusive species in an intermediatefinal product relationship and, in the instant case, the intermediate product is deemed to be useful as a lubricant and the inventions are deemed patentably distinct since there is nothing on this record to show them to be obvious variants, Inventions II and III are related as process of making and product made and, in the instant case, the process as claimed can be used to make a materially different product such as vinylsulfonyl functionalized polymers having different attached group with the claimed products.


Due to the amendment of claims 53-64 to reflect their dependency on method claim 44, Invention III now includes claims 53-64.

In order that this response be complete, the Applicants elect to prosecute Invention II, Claims 29-43, with traverse. Claims 1-28 and Claims 44-64 are withdrawn from further consideration, under 37 CFR 1.142(b), as being drawn to a non-elected invention. As stated by the Examiner, Claim 1 is limited to polymer particles comprising a polymer bead stabilized by vinylsulfonyl-functionalized polymers grafted to the surface of the bead, Claim 29 is drawn to a particle composition comprising monodisperse polymer beads stabilized by vinylsulfonyl-functionalized polymers, wherein said vinylsulfonyl-functionalized polymers are grafted to the external surfaces of the beads, and Claim 44 relates to a method of forming monodisperse polymer particles comprising preparing a homogeneous solution of at least one ethylenically unsaturated polymerizable monomer, an initiator, and a polymeric stabilizer, wherein the polymeric stabilizer

consists of repetitive units, wherein the repetitive units comprise at least one latent vinylsulfonyl moiety, polymerizing the homogeneous solution, and converting the latent vinylsulfonyl moiety to vinylsulfonyl moieties. However, all three independent claims claim polymer particles comprising vinylsulfonyl moieties. Therefore, it is suggested that commonality exists among the three Groups/Inventions identified by the Examiner with respect to polymer particles comprising vinylsulfonyl moieties. Coextensive searching of the three Groups/Inventions would not prove seriously burdensome to the Examiner, but would instead be most efficient. Therefore, it is respectfully requested that the Restriction Requirement be reconsidered and withdrawn and that all claims now pending be examined.

It is believed that the foregoing is a complete response to the Office Action and that the claims are in condition for allowance. Favorable reconsideration and early passage to issue is therefore earnestly solicited.

Respectfully submitted,

  
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